

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 18-23, 25-33 and 35-37 are pending. Claims 1, 27, and 37 are independent claims. Claims 24 and 34 are canceled in this paper. Claims 1, 25, 27 and 37 have been amended. The Office Action set forth the following grounds of rejection:

1. That claims 1, 27, and 37 are allegedly directed to non-statutory subject matter and are therefore unpatentable under 35 U.S.C. §101;
2. That claims 25 and 35 are allegedly indefinite under 35 U.S.C. § 112, second paragraph;
3. That claims 1, 19, 20, 24, 25-27, 29, 30, 34, 35, and 36 are allegedly unpatentable under 35 U.S.C. § 103(a) over United States Patent No. 6,367,009 ("Davis") in view of United States Patent No. 6,178,505 ("Schneider") in view of United States Patent No. 6,023,765 ("Kuhn");
4. That claims 21, 22, 31, 32, and 37 are allegedly unpatentable under 35 U.S.C. § 103(a) over Davis in view of the Schneider and Kuhn and further in view of United States Patent Application No. 2001/0020242 ("Gupta"); and
5. That claims 18, 23, 28, and 33 are allegedly unpatentable under 35 U.S.C. § 103(a) over Davis in view of Schneider and Kuhn and further in view of United States Patent No. 6,240,091 ("Ginzboorg").

In view of the following arguments, all claims are believed to be in condition for allowance over the references of record. Therefore, this response is believed to be a complete response to the Office Action.<sup>1</sup> Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2).

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<sup>1</sup> As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome the present rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such assertions/requirements in the future. Further, Applicants do not necessarily agree with or acquiesce to the Examiner's characterizations of the scope and meaning of their claims.

## **II. SECTION 101 REJECTIONS (GROUND OF REJECTION NO. 1)**

The Examiner rejected each of independent claims 1, 27, and 37 under Section 101 “because they do not contain any form of computer hardware.” (Office Action, page 2.) The Examiner further stated that “inclusion of a processor or other computer hardware consistent with the specification will overcome this rejection.” (*Id.*) Without conceding that the rejection was proper, it is believed that the foregoing amendments to claims 1, 27, and 37 are consistent with the Specification (*see, e.g.*, Figures 2-4C) and, according to the Examiner’s reasoning, overcome the Section 101 rejections of those claims. Therefore, the present Section 101 rejections should be withdrawn.

## **III. SECTION 112 REJECTIONS (GROUND OF REJECTION NO. 2)**

The Examiner rejected claims 25 and 35, which depend from claims 1 and 27 respectively, under Section 112, second paragraph. (Office Action, pages 2-3.) The Examiner alleged that the claim recitation “functionality to support desired functionality” is indefinite. (*Id.*, page 3.) Claim 25 has been amended so that the phrase “configured with functionality for supporting desired functionality” now recites “configured for supporting desired functionality.” Claim 35 recites “supporting desired functionality of designated users” and therefore likewise does not recite the phrase that the Examiner contended was non-statutory. Accordingly, claims 25 and 35 are believed to particularly point out and distinctly claim the subject matter which the Applicants regards as their invention within the meaning of Section 112, second paragraph. Therefore, the present Section 112 rejections of claims 25 and 35 should be withdrawn.

## **IV. SECTION 103 REJECTIONS (GROUNDS OF REJECTION NOS. 3-5)**

Independent claim 1, rejected as allegedly unpatentable over Davis in view of Schneider and further in view of Kuhn, recites in part:

a directory, coupled to the certificate authentication component, to maintain an account for each individual user, each account containing an access policy specifying at least one portion of the computer site to which the corresponding user is permitted access, each account further containing at least one of an internet protocol (IP) address and a certificate authorization method associated with the user.

In addressing claims 24 and 34 in the Office Action (page 5), the Examiner alleged that “Schneider teaches the account containing an IP address.” The Examiner did not allege that Schneider teaches

or suggests an account containing “a certificate authorization method associated with the user,” as recited in claim 1. Moreover, while Schneider does make certain disclosures related to Internet protocol (IP) addresses, Schneider does not teach or suggest “each account further containing . . . an Internet protocol (IP) address,” much less “an internet protocol (IP) address . . . associated with the user.”

Schneider discloses “access filters” that use techniques “to determine the minimum amount [of security needed by a session].” (Schneider, column 18, lines 23-25.) When an access filter is implemented, a “trust level for a user is determined from the manner in which [an] access request identifies the user.” (*Id.*, column 18, lines 59-60.) Thus, an access filter may include a table containing, among other things, “minimum identification methods.” (*Id.*, column 19, lines 48-50.) One way for the user to be identified is by “the IP address or fully qualified domain name of the user’s computer.” (*Id.*, column 19, lines 19-20.) In other words, Schneider teaches at most that IP addresses may be included in access filters, but Schneider’s access filters are not associated with individual users. In short, Schneider in no way teaches or suggests “an account for each individual user” that contains “an Internet protocol (IP) address . . . associated with the user.”

Consistent with his teachings regarding access filters, Schneider teaches that user IP addresses may be provided at most from user session information, and not from a user account. That is, Schneider discloses that users may be “identified by IP addresses” and may “appear in [a] display as ranges of IP addresses.” (*Id.*, column 23, lines 18-20.) Then, “users whose sessions have the source IP addresses listed” in the display may be added to a user group. (*Id.*, column 23, lines 30-33.) Thus, a user session, and not a user account, provides a user IP address in Schneider.

In sum, Schneider does not teach or suggest “each account further containing at least one of an Internet protocol (IP) address and a certificate authorization method associated with the user,” as recited in claim 1. Neither Davis nor Kuhn compensates for the deficiencies of Schneider. Therefore, claim 1, and all claims depending therefrom, are in condition for allowance over the cited references at least for the foregoing reasons.

Independent claims 27 and 37 both recite “each account further containing at least one of an Internet protocol (IP) address and a certificate authorization method associated with the user.”

Therefore, these claims, and the claims depending from claim 27, are likewise in condition for allowance over the cited references at least for the foregoing reasons.

## **V. CONCLUSION**

In view of the above amendment, Applicants believe the pending application is in condition for allowance. Reconsideration and allowance are respectfully requested.

It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account No. 18-0013, under Order No. 65632-0632. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged against the aforementioned account.

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